

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MASSACHUSETTS

FILED
CLERKS OFFICE

2805 FEB 25 P 3: 07

WILLIAM M. TYREE
P.O. BOX-100
SOUTH WALPOLE, MA. 02071
PLAINTIFF, Pro se

V.

UNITED STATES ARMY
CID AGENT PAUL MASON (Retired)
CID AGENT JOSEPH BURZENSKI (Retired)
DEFENDANTS
U.S. Department of Justice
John J. Moakley Courthouse
1 Courthouse Way, Suite 9200
Boston, Massachusetts 02210
(Main phone: 617-748-3100)
Counsel for Defendants

U.S. DISTRICT COURT
DISTRICT OF MASS.
04-17430-RCL

Plaintiff's Motion To
Stay Proceedings Pending
Mandamus Review Of
Reinstatement Of The
Plaintiff In The U.S. Army
By The U.S. Court Of Appeals
For The First Circuit.

Comes now the Plaintiff, William M. Tyree, Pro se, who moves this United States District Court, (USDC), to allow this Stay of Proceedings pursuant to Rule 62 of the FRCP, for the reasons set out in the attached Motion For A Stay Of proceedings In The USDC filed by the Plaintiff into the U.S. Court of Appeals for the First Circuit. The attached Motion To Stay Proceedings in Tyree v. U.S. Army, Et al., C.A. 04-11430, filed into the U.S. court of Appeals seeking the Court of Appeals to direct the stay at C.A. 04-11430 (USDC docket), is also supported by the same affidavit that this Motion To Stay Proceedings relies upon. It is prayed that the Stay be granted in the above captioned case pending review of the material in the Court of Appeals to determine if the Plaintiff will be reinstated in the U.S. Army. If the Court of Appeals rules in favor

Page two
Motion To Stay Proceedings
USDC, C.A. 04-11430

of the Plaintiff, that would moot the case pending in the USDC currently, as reinstatement in the U.S. Army would bar the litigation of any claims that arose while the Plaintiff was on active duty in the U.S. Army.

Respectfully submitted,

February 21, 2005


William M. Tyree

Pro se
P.O. Box-100
S. Walpole, MA. 02071